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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/716,999	LITSCHER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Leslie J. Evanisko	2854	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**  
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 11/15/2004 and interview on 01/21/2005.
2. ☒ The allowed claim(s) is/are 1,2,9-15,18,19,21 and 24-32.
3. ☒ The drawings filed on 11/15/04 & 04/22/04 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.   |

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brian Steinberger on January 21, 2005.

The application has been amended as follows:

IN THE CLAIMS:

In claim 1, line 6, the phrase --having the non-planar, textured and irregular surface-- was inserted after "object" and the comma (second occurrence) was deleted and replaced with --and--.

In claim 1, line 7, the phrase "and a third axis having the non-planar, textured and irregular surface" was deleted.

In claim 14, line 5, the term "gimbel" was deleted and replaced with --gimbal-- to correct an obvious typographical error.

In claim 14, line 9, the comma "," was deleted and replaced with --and-- and the phrase "and a third" was deleted.

In claim 14, line 10, the term "axis" was deleted.

In claim 21, line 4, the term "gimbel" was deleted and replaced with --gimbal-- to correct an obvious typographical error.

The above claim changes were made to clear up various minor claim informalities. In particular, the change to claim 1 was made to insure the claim language is clear that the object has the non-planar, textured and irregular surface. Additionally, claims 1 and 14 were amended to delete the reference to the third axis since, from the description in the specification, it appears that the gimbal device provides rotation only about two different axes and not three. Finally, the changes to claims 14 and 21 were made to correct the spelling of the term "gimbal" that appears in each claim.

2. The following is an examiner's statement of reasons for allowance:

Note the previous comments with respect to the reasons for indicating allowable subject matter in the Office Action dated August 11, 2004.

Additionally, with respect to claims 1, 14, 21, 29, and 31 and the "gimbal" recitation, note that the term "gimbal" or "gimbal ring" is defined in Webster's 3<sup>rd</sup> New International Dictionary as "a ring in which the body can turn on an axis through the diameter of the ring, while the ring itself is so pivoted to its support that it can turn about a diameter at right angles to the first." Note that closed prior art of Stephenson (US 2002/0134257) does not include a gimbal as defined.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should


preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone number is **(571) 272-2161**. The examiner can normally be reached on M-Th 7:30 am-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lje  
January 21, 2005

  
Leslie J. Evanisko  
Primary Examiner  
Art Unit 2854